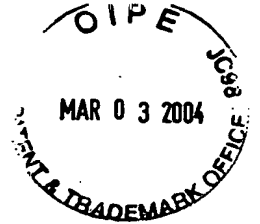


Docket No. 240896US2S



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Naofumi NAKAMURA, et al.

SERIAL NUMBER: 10/628,372

ATTN: APPLICATION BRANCH

FILING DATE: July 29, 2003

FOR: SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE SAME

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

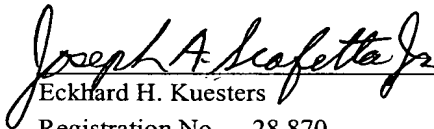
Responsive to the notification dated January 6, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Eckhard H. Kuesters

Registration No. 28,870

Joseph A. Scafetta, Jr.
Registration No. 26, 803

Customer Number

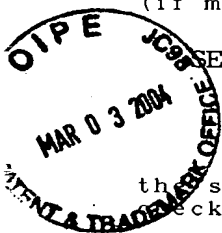
22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I declare:

that I verily believe myself to be the original, first and sole (if only one individual inventor is listed below) or an original, first and joint inventor (if more than one individual inventor is listed below) of the invention in



SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE SAME

the specification of which is attached hereto unless the following box is checked.

☒ was filed on July 29, 2003 as United States Application or PCT International Application No. 10/628,372, and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

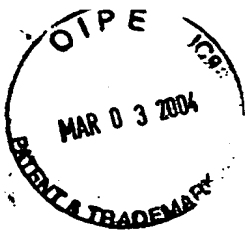
I acknowledge the duty to disclose information of which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Category</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claim</u>
Japan	Patent	2003-123737	April 28, 2003	Yes

I hereby appoint the registrants of Oblon, Spivak, McClelland, Maier & Neustadt, P.C., 1940 Duke Street, Alexandria, Virginia 22314, Customer No. 22850, or any one of them. Send correspondence to Oblon, Spivak, McClelland, Maier & Neustadt, P.C., 1940 Duke Street, Alexandria, Virginia 22314, Telephone No. (703) 413-3000.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



03S0040

DECLARATION FOR PATENT APPLICATION

I declare further that my mailing address is at c/o
Intellectual Property Division, Toshiba Corporation, 1-1, Shibaura
1-chome, Minato-ku, Tokyo 105-8001, Japan; and
that my citizenship and residence are as stated below next to my name:

Inventor: (Signature)

Date

Residence

Date: SEP. - 1. 2003

Naofumi Nakamura

Naofumi Nakamura

Citizen of: Japan Yokohama-shi, Japan

Date: SEP. - 1. 2003

Noriaki Matsunaga

Noriaki Matsunaga

Citizen of: Japan Chigasaki-shi, Japan

Date:

Citizen of: Japan

Date:

Citizen of: Japan

Date:

Citizen of: Japan

Date:

Citizen of: Japan

Date:

Citizen of: Japan

Date:

Citizen of: Japan